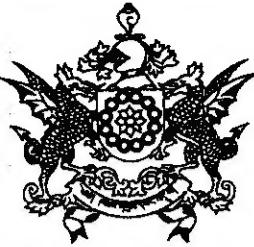


SIKKIM



GOVERNMENT **EXTRAORDINARY**
GAZETTE **PUBLISHED BY AUTHORITY**

Gangtok

Tuesday 17th August, 2021

No. 228

**GOVERNMENT OF SIKKIM
MOTOR VEHICLES DIVISION, TRANSPORT DEPARTMENT
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No. 19/MVD/T

Date: 27/07/2021

NOTIFICATION

In exercise of the powers conferred by rule 118 of the Central Motor Vehicles Rules, 1989, and in compliance with the directions of the Hon'ble Supreme Court vide its order dated 18/08/2011 in S.L.P. (Civil) No: 17135/2008, the State Government in supersession of all previous Notifications, pertaining to fitment of speed controlling devices hereby notifies the classes of transport vehicles specified in the table below shall be fitted with a speed governor (Speed controlling devices) confirming to the standard AIS 018/2001 as amended from time to time having a maximum pre-set speed as specified in the following table namely:-

THE TABLE

Sl.no	Type of Vehicle	Maximum pre-set speed in kilometer per hour
1	Passenger Vehicle	
	(a) Light Motor Vehicles with seating capacity exceeding 8+1	80
	(b) All Buses(Except School/Educational Institute buses)	
2	School Buses/Educational Institution Buses	40
3	All Goods Vehicles (Except 3 wheelers goods vehicle, Dumpers, Tankers and those carrying hazardous goods)	80
4	Dumpers, Tankers and those carrying hazardous goods.	60
5	Airport passenger bus referred to in rule 93-c of the Central Motor Vehicle Rules, 1989.	30

1. Conditions:

- (1) The Transport Vehicles manufactured on or after the 1st of October, 2015 shall be equipped or fitted by the vehicle manufacturer either in the manufacturing stage or at the dealership stage with a speed governor (speed limiting device or speed limiting function), having maximum pre-set speed as specified in table above.
- (2) The above categories of transport vehicles registered prior to 1st October, 2015 which are not already fitted with a speed governor (speed limiting device or speed limiting function) shall be equipped or fitted by the operators of those vehicles with a speed governor (speed limiting device or speed limiting function), having maximum pre-set speed as specified in the table above.

2. (1) All vehicles must adhere to the maximum speed limit on different categories of roads as specified in the Notification No. GOS/MVD/2009-10/Adm/10/48 dated 19/12/2016 in terms of sub-section (2) of section 112 of the Motor Vehicles Act, 1988.

- (2) The permit granting Authority/ Registering Authority concerned in the State of Sikkim shall ensure that "Speed Governor" is fitted in each of the aforesaid classes of vehicles and the official Seal of the permit granting Authority/Registration Authority concerned shall be put up on such "Speed Governor" in such a manner that the seal cannot be removed or tampered, without the seal being broken.
- (3) The speed governor so fitted shall be functionally capable of limiting the speed of the Vehicles to the maximum speed as specified by the Government from time to time.
- (4) The manufacturer of the speed governor shall obtain a type approval certificate in respect of the speed governor to be fitted from any of the testing agencies referred to in rule 126 of the Central Motor Vehicles Rules, 1989; and as per the procedure and guidelines issued by the Ministry of Road Transport and Highways bearing no. RT-11017/13/2005-MVL dated: 16/06/2016.
- (5) The Registering Authority concerned or any officer authorized by the Registering Authority shall seal the points with the official seal after satisfying himself that the speed governor is capable of limiting the speed of the vehicle as specified by the Government.
- (6) No notified vehicle required to be fitted with a speed governor shall be used in any public place unless it bears the official seal.
- (7) No person shall open, tamper or otherwise interfere with the official seal on a speed governor.
- (8) In case the official seal is broken, damaged or opened due to any reason whatsoever, the vehicle shall not be used in any public place unless a new official seal is affixed by the authority concerned.
- (9) The owner of the vehicle shall provide an inspection window on the floor of the vehicle just above the gear box or otherwise, where sensor of the speed governor is connected to the gear box for applying the official seal or for inspection of the same.
- (10) Any officer of the Motor Vehicles Division not below the rank of Assistant Motor Vehicle Inspector is authorized to stop a vehicle for such reasonable time, as is necessary to satisfy himself that the official seal is intact and the speed governor is

capable of limiting the speed as specified for such vehicle notwithstanding that the official seal on the speed governor appears to be intact.

- (11) It shall be the duty of the owner of the vehicle to train or educate the driver of the vehicle about the necessity and importance of the speed governor and the official seal therein.
- (12) Every vehicle required to be fitted with a speed governor shall display the words "SPEED GOVERNOR INSTALLED" legibly written in English at the bottom of both front and rear with screen. The letters shall be written in white color and shall be of 15 cms height with appropriated thickness.
- (13) If, at any time, it is observed by the driver or the owner that the speed governor is not functioning properly or by any means it observed that the speed of the vehicle does not limit to the prescribed speed, the driver or the owner shall ply the vehicles, only after necessary rectification. In such an event, it shall be necessary to obtain fresh official seal of the concerned Registering Authority on the Speed Governor.
- (14) Penalty provided under section 177 of the Motor Vehicles Act, 1988 (Act 59 of 1988) shall apply for violation of this Notification.

P.N. Sherpa
Secretary to the Government of Sikkim

